

# **EXHIBIT A**

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August 30, 2012

**Via Email & Regular Mail**

Michael Barnett, Esq.  
Loeb & Loeb LLP  
345 Park Avenue  
New York, New York 10154

**Re: Universitas Education, LLC v. Nova Group, Inc.;**  
**Case No. 11-Civ-1590 (LTS) (HBP) and 11-Civ.-8726 (LTS)(RLE)**

Dear Mr. Barnett:

I write in response to your August 28, 2012 email regarding the Discovery Responses that are due to be answered by Friday, August 31, 2012.

Since the Court entered the Order requiring answers to Universitas' requests, we have been in frequent communications with our client to obtain responsive information. Despite our best efforts, we have been advised that Wayne Bursey ("Mr. Bursey") has resigned his duties as Trustee for medical reasons. We have further been advised that Mr. Bursey was the only individual who had the capacity to search for responsive documentation or sign a verification on behalf of Nova or the Charter Oak Trust. Despite our efforts to press the client to provide another person who has the authority and capacity to effectuate a response, the client has taken the recalcitrant position that there is no one else.

As a result of this turn of events, it appears our client will not be providing responses or documents on August 31, 2012. We have advised the client that it is under a court Order to respond, and we will continue to press the client to come to a workable way to respond. As we have made clear, the position is that there is no one to sign the relevant verification and thus, compliance is not an option. We have pushed as hard as we can and will continue to do so. This recalcitrance by the client is symptomatic of other issues, and this latest situation will



Michael Barnett, Esq.

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likely cause me to seek to withdraw as counsel based on irreconcilable differences between attorney and client.

Please contact me with any questions.

Very truly yours,



Joseph M. Pastore III

cc: Paula K. Colbath, Esq.